

# ***City Council***

## ***Meeting Minutes***

**January 21, 2020  
City Hall, Council Chambers  
749 Main Street  
7:00 PM**

**Call to Order** – Mayor Stolzmann called the meeting to order at 7:00 p.m.

**Roll Call** was taken and the following members were present:

**City Council:**      ***Mayor Ashley Stolzmann  
Mayor Pro Tem Dennis Maloney  
Councilmember Kyle Brown  
Councilmember J. Caleb Dickinson  
Councilmember Deborah Fahey  
Councilmember Chris Leh  
Councilmember Jeff Lipton***

**Staff Present:**      ***Heather Balser, City Manager  
Megan Davis, Deputy City Manager  
Kevin Watson, Finance Director  
Rob Zuccaro, Planning & Building Safety Director  
Nathan Mosely, Parks, Recreation, & Open Space Director  
Meredyth Muth, City Clerk***

**Others Present:**      ***Kathleen Kelly, City Attorney***

### **PLEDGE OF ALLEGIANCE**

All rose for the pledge of allegiance.

### **APPROVAL OF AGENDA**

Mayor Stolzmann called for changes to the agenda and hearing none Councilmember Leh moved to approve the agenda; seconded by Mayor Pro Tem Maloney. All in favor.

### **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA AND THE CONSENT AGENDA**

None.

## **APPROVAL OF THE CONSENT AGENDA**

Mayor Stolzmann stated staff requests item G be moved to the consent agenda. Mayor Pro Tem Maloney moved to approve the agenda as amended; seconded by Councilmember Fahey. All in favor.

- A.** Approval of Bills
- B.** Approval of Minutes: January 7, 2020; January 13, 2020; January 14, 2020
- C.** Approval of Resolution No. 8, Series 2020 – A Resolution Approving a Change Order for the Playground Replacements Project
- D.** Approval of Resolution No. 9, Series 2020 – A Resolution Approving a First Amendment to Agreement for Interim Municipal Judge Services
- E.** Approval of Resolution No. 10, Series 2020 – A Resolution Amending the City Council Rules of Procedure
- F.** Approval of a Sole Source Agreement with Spronk Water Engineers for 2020 Water Rights Administration
- G.** Approval of the First Amendment to Agreement for Design Build Services for Median Landscape Renovations – **moved to regular agenda**
- H.** Approval of City of Louisville Organizational Assessments Request for Proposals
- I.** Approval of Execution of Agreement with Hilltop Securities for Financial Advisor Services

## **COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA**

None.

## **CITY MANAGER'S REPORT**

City Manager Balser stated the City is taking applications to fill the vacancies on the boards and commissions that remain open after the annual appointment process.

## **REGULAR BUSINESS**

---

---

### **RESOLUTION NO. 6, SERIES 2020 – A RESOLUTION APPROVING A THREE-YEAR EXTENSION OF THE APPROVAL OF THE COAL CREEK CORPORATE CENTER 1 PUD AMENDMENT A, LOCATED 826 COAL CREEK CIRCLE; LOT 2, COAL CREEK BUSINESS PARK SUBDIVISION – *continued from 1/7/20***

Mayor Stolzmann reopened the public hearing noting Council had no disclosures when the public hearing was first opened on January 7.

Director Zuccaro stated this is a request for a three-year extension of the approval of the Coal Creek Corporate Center 1 PUD Amendment. This was originally approved in 2017 to

allow a two-phase expansion. He stated there have been no changes in conditions or policies since the original approval and therefore staff recommends approval.

Councilmember Brown asked if staff considered a shorter extension. Director Zuccaro stated there were no concerns about the extension from the community or staff.

Public Comments – None.

Mayor Pro Tem Maloney moved to approve Resolution No. 6; seconded by Councilmember Fahey.

Mayor Stolzmann stated the application meets the criteria as it did for the first approval. Councilmember Fahey agreed; nothing has changed so there is no reason to deny.

Mayor Stolzmann closed the public hearing.

Voice vote: all in favor.

#### **DISCUSSION/DIRECTION – COMMUNITY PARK DOG POND CLOSURE ALTERNATIVES**

Director Mosely stated staff needs direction after being informed from the Colorado Department of Public Health and Environment (CDPHE) that regulations now prohibit the City from using reuse water in the dog pond at Community Park. Since this fall, staff has been using potable water to allow use, but that is costly. Staff recommends closing the pond to use by dogs. Most dog parks don't have water amenities and to make it usable under the new rules would be expensive. The Parks Board supports the recommendation.

Mayor Pro Tem Maloney asked if this approach would require filling in the pond or continuing to fill the pond with water. Director Mosely stated the pond is used to irrigate the park with reuse water; the water will need to remain but it will be closed to dogs.

Mayor Stolzmann asked why CDPHE changed the regulations. Director Mosely stated it stems from people fishing in reclaimed water sources and consuming the fish. The CDPHE determined the rule pertains to all recreational uses on reclaimed water, including dog parks.

Mayor Stolzmann stated she wants to make sure there is a good communication to residents explaining this change and why it is necessary.

Public Comments – None.

Councilmember Lipton asked if landscaping will be added to this area. Director Mosely stated there are no plans for additional landscaping just closing access to the pond. Councilmember Lipton stated he would like to see more restoration of the site long-term.

Councilmember Dickinson asked how dogs will be kept out of the pond. City Manager Balser stated the pond will be made inaccessible for people and dogs.

Councilmember Brown stated if having this type of amenity is a priority for the community we should explore alternatives during the budget process.

Mayor Pro Tem Maloney moved to accept staff's recommendation. He noted the primary purpose of this pond for retention to water the park and that will remain. Councilmember Fahey seconded and reiterated the ponds primary use is for irrigation.

Mayor Stolzmann spoke in favor of the motion and asked staff to include signage on site, explain the changes to the residents, and note the reclaimed water is used in the park.

Councilmember Leh noted the communications should be clear and this is a matter of State regulation and the safety of animals and people.

Voice vote: all in favor.

#### **DISCUSSION/DIRECTION – SUMMER MEETING SCHEDULE**

Clerk Muth stated staff provided five options for a summer break in the packet materials.

Public Comment – None.

Councilmember Leh moved to adopt option three giving a four-week break at the end of June into July. Mayor Pro Tem Maloney seconded to motion.

Voice vote: all in favor.

#### **ORDINANCE NO. 1789, SERIES 2020 – AN ORDINANCE AMENDING CHAPTER 3.32 OF THE LOUISVILLE MUNICIPAL CODE CONCERNING ADMINISTRATION OF THE RETAIL MARIJUANA FACILITY TAX AND AMENDING CHAPTER 5.11 OF THE LOUISVILLE MUNICIPAL CODE REGARDING RETAIL MARIJUANA SALES TO NONRESIDENTS OF THE STATE OF COLORADO – 1ST READING, SET PUBLIC HEARING 2/4/20**

Mayor Stolzmann introduced the item by title. Councilmember Lipton moved to approve the ordinance on first reading and set the public hearing for 2/4/20; Councilmember Dickinson seconded. All in favor.

#### **ORDINANCE NO. 1790, SERIES 2020 – AN ORDINANCE AMENDING LOUISVILLE MUNICIPAL CODE TITLE 9 REGARDING OFFENSES AGAINST PUBLIC PEACE – 1ST READING, SET PUBLIC HEARING 2/4/20**

Mayor Stolzmann introduced the item by title; Mayor Stolzmann noted a typo has been fixed and the copy has been amended.

Councilmember Brown requested the language in this ordinance be amended to be inclusive of people who do not identify as part of a gender binary (i.e. identify as neither male nor female). Staff will make those changes for second reading.

Mayor Stolzmann stated she would like information on second reading on what prompted the request for these changes.

Councilmember Lipton moved to approve the ordinance as amended on first reading and set the public hearing for 2/4/20; Councilmember Fahey seconded. All in favor.

**ORDINANCE NO. 1791, SERIES 2020 – AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE LOUISVILLE MUNICIPAL CODE REGARDING WATER AND SEWER TAP FEES – 1ST READING, SET PUBLIC HEARING 2/4/20**

Mayor Stolzmann introduced the item by title. Councilmember Lipton moved to approve the ordinance on first reading and set the public hearing for 2/4/20; Councilmember Dickinson seconded. All in favor.

**Approval of the First Amendment to Agreement for Design Build Services for Median Landscape Renovations –~~moved from consent~~**

City Manager Balser noted there was a typo on the contract in Section three and it should read “a total not to exceed \$600,000” not \$325,000.

Public Comments – None.

Councilmember Lipton moved to approve the agreement as amended; Councilmember Brown seconded.

Voice vote: all in favor.

**CITY ATTORNEY’S REPORT**

None.

**COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS**

ECONOMIC VITALITY COMMITTEE – Councilmember Dickinson meeting tomorrow.

FINANCE COMMITTEE – Mayor Pro Tem Maloney noted the group is preparing for budget discussions.

LEGAL REVIEW COMMITTEE – no report

UTILITY COMMITTEE –no report

COLORADO COMMUNITIES FOR CLIMATE ACTION – no report

COMMUTING SOLUTIONS – no report

CONSORTIUM OF CITIES – no report

DOWNTOWN BUSINESS ASSOCIATION STREET FAIRE – Councilmember Lipton planning continues for the summer.

DENVER REGIONAL COUNCIL OF GOVERNMENTS – Mayor Stolzmann stated the organization is looking at legislation, adding she will take a position on an item only if it aligns with the City’s legislative agenda. They are currently looking at proposals that would use organizations such as DRCOG as taxing entities for transportation. This has both pros and cons. She will continue to monitor.

JOINT INTEREST COMMITTEES (SUPERIOR & LAFAYETTE) – no report

MAYORS & COMMISSIONERS COALITION – Mayor Stolzmann stated the group discussed the CDOT funding list for the region. They are also working on their agenda for the upcoming lobbying trip to DC, including meeting with the FAA on airport noise.

METRO MAYORS CAUCUS – Mayor Stolzmann stated the group had its annual retreat and discussed transportation funding and metro districts among other topics.

REVITALIZATION COMMISSION – Councilmember Lipton noted the quarterly report was in the packet.

XCEL ENERGY FUTURES – Mayor Pro Tem Maloney reported a meeting is scheduled for next week.

## **ADJOURN**

Members adjourned at 7:45 pm.

---

Ashley Stolzmann, Mayor

---

Meredyth Muth, City Clerk